

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3250 of 2007

BHANWAR LAL & ORS.
V/S
MANGI LAL & ORS.

Mr. RK THANVI, for the appellant / petitioner

Mr. RAJESH PANWAR, for the respondent

Date of Order : 3.9.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the parties.

Perused the impugned order.

The learned trial court has not considered the relevant considerations, and has swayed by technicalities of law by observing that the application has been filed belatedly inasmuch as issues were framed on 26.5.2006, and the application was filed on 15.2.2007 notwithstanding the fact that during this interregnum period suit has not registered any material progress.

In my view, it would be in the interest of justice that the documents sought to be produced are taken on record subject, however, to payment of cost.

Accordingly, the writ petition is allowed. The

impugned order is set aside, and the application dt.

15.2.2007 is allowed, and the documents are taken on record subject to payment of cost of Rs. 3,000/- (Three Thousand only). The learned trial court is, however, directed to decide the suit most expeditiously.

(N P GUPTA), J.

/sushil/